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**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF NEVADA**

CHARDE EVANS, on behalf of herself and all
 others similarly situated,

Plaintiff,

v.

WAL-MART STORES, INC., and DOES 1-50,
 Inclusive,

Defendants.

2:10-cv-01224-JLM-LRL

**ORDER OF PARTIAL
 DISMISSAL WITH PREJUDICE**

The Court, having reviewed Defendant Wal-Mart Stores, Inc.'s ("Wal-Mart") Motion for Partial Dismissal and/or in the Alternative for Partial Summary Judgment ("Motion for Partial Dismissal") (Doc. #18) and Plaintiff's Statement of Non-Opposition (Doc. #22), and having issued an Order on October 29, 2010 granting Wal-Mart's Motion for Partial Dismissal (Doc. #27), hereby orders as follows:

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IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the claims asserted in Plaintiff's Class Action Complaint that overlap with and have been released as part of the class action settlement of *In re: Employment Practices Litigation*, MDL No. 1735, 2:06-cv-225-PMP-PAL ("MDL 1735"), shall be dismissed with prejudice in accordance with Rule 12(b)(6) of the Federal Rules of Civil Procedure. This dismissal therefore applies to any and all claims occurring prior to February 27, 2009 based on: (1) Wal-Mart's alleged "shift jamming" (Wal-Mart's alleged failure to pay minimum and overtime wages to its hourly employees in the State of Nevada) pursuant to Nevada Revised Statute §608, including, without limitation, N.R.S. §§ 608.260, 608.140, 608.016, 608.018, and 608.126 (First Count of Plaintiff's Class Action Complaint); and (2) Wal-Mart's alleged failure to pay waiting time penalties, or to otherwise pay its terminated employees in a timely fashion, to its hourly employees in the State of Nevada, pursuant to Nevada Revised Statute § 608, including, without limitation, N.R.S. §§ 608.050, 608.040, and 608.140 (Second Count of Plaintiff's Class Action Complaint).

This Order shall not affect claims for shift jamming (First Count of Plaintiff's Class Action Complaint) occurring on or subsequent to February 27, 2009, or claims for failure to pay waiting time penalties (Second Count of Plaintiff's Class Action Complaint) occurring on or subsequent to February 27, 2009.

IT IS SO ORDERED:


 UNITED STATES DISTRICT COURT JUDGE

DATED: November 17, 2010